



Entered on Docket  
January 13, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

Electronically Filed on \_\_\_\_\_

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Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE3  
09-77183

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Gaye Hancock

Debtor.

BK-S-09-28491-mkn

Date: 12/09/09

Time: 1:30 pm

Chapter 7

**ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-HE3, its assignees and/or successors in interest, of the subject property, generally described as 5855 Valley Dr. 1031, North Las Vegas, NV 89031, and legally described as follows:

**PARCEL I:**

UNIT ONE (I) BUILDING ELEVEN (1 1) OF JASMINE UNIT I, A CONDOMINIUM SUBDIVISION FILED PURSUANT TO THE PROVISIONS OF N.R.S. 116 RECORDED IN BOOK 104 OF PLATS, PAGE 79, OF OFFICIAL RECORDS OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA. AN DEFINED IN THAT CERTAIN DECLARATION OF RESTRICTIONS (ENABLING DECLARATION ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF JASMINE UNIT 1), RECORDED SEPTEMBER 24, 2002 IN BOOK 20020927 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA AS INSTRUMENT NO. 01923.

**PARCEL II.**

AN UNDIVIDED 118 INTEREST IN AND TO THE COMMON ELEMENT AS SHOWN UPON THE PLAT OF JASMINE UNIT 1, A CONDOMINIUM SUBDIVISION FILED PURSUANT TO THE PROVISION OF N.R.S. 116 RECORDED IN BOOK 104 OF PLATS, PAGE 79, OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY. NEVADA AND AS DEFINED IN THAT CERTAIN DECLARATION OF RESTRICTIONS (ENABLING DECLARATION ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF JASMINE UNIT 1) RECORDED SEPTEMBER 24, 2002 IN BOOK 20020924 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA AS INSTRUMENT NO. 01923.

**PARCEL III:**

AN EXCLUSIVE EASEMENT OVER THAT PORTION OF THE COMMON ELEMENT SHOWN AS APPURTENANT DECKS, BALCONIES, PATIOS. GARAGES, ENTRY AREAS AND STAIRS WHICH AREAS SHALL BE REFERRED TO AS LIMITED COMMON ELEMENTS AS SHOWN UPON THE PLAT OF JASMINE UNIT 1 A CONDOMINIUM SUBDIVISION FILED PURSUANT TO THE PROVISIONS OF N.R.S. 116 RECORDED IN BOOK 104 OF PLATS, PAGE 79. OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY NEVADA. AND AS DEFINED IN THAT CERTAIN DECLARATION OF RESTRICTIONS (ENABLING

1 DECLARATION ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF  
2 JASMINE UNIT I) RECORDED SEPTEMBER 24, 2002 IN  
3 BOOK 20020924 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA AS  
4 INSTRUMENT NO. 01923.

4 PARCEL IV:

5 A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, PUBLIC UTILITIES AND  
6 PRIVATE STREETS OVER THE COMMON ELEMENT OF THE CONDOMINIUM  
7 PROJECT AS SHOWN UPON THE PLAT OF JASMINE UNIT 1 A CONDOMINIUM  
8 SUBDIVISION FILED PURSUANT TO THE PROVISIONS OF N.R.S. 116 RECORDED IN  
9 BOOK 104 OF PLATS, PAGE 79. OF OFFICIAL RECORDS, IN THE OFFICE OF THE  
10 COUNTY RECORDER OF CLARK COUNTY NEVADA. AND AS DEFINED I THAT  
11 CERTAIN DECLARATION OF RESTRICTIONS (ENABLING DECLARATION  
12 ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF JASMINE UNIT I)  
13 RECORDED SEPTEMBER 24, 2002 IN BOOK 20020924 OF OFFICIAL RECORDS,  
14 CLARK COUNTY, NEVADA AS INSTRUMENT NO. 01923.

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2 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall**  
3 **give Debtor at least five business days' notice of the time, place and date of sale.**

4 DATED this \_\_\_\_ day of \_\_\_\_\_ 2009

5 Submitted by:

6 **WILDE & ASSOCIATES**

7 By: /s/Gregory L. Wilde, Esq  
8 **Gregory L. Wilde, Esq.**  
9 Attorney for Secured Creditor  
208 South Jones Boulevard  
Las Vegas, Nevada 89107

10 APPROVED / DISAPPROVED

11 By: \_\_\_\_\_  
12 Randolph Goldberg  
13 4000 S. Eastern Ave., #200  
14 Las Vegas, NV 89119  
Attorney for Debtor(s)

15 Nevada Bar No: \_\_\_\_\_

16 APPROVED / DISAPPROVED

17 By: \_\_\_\_\_  
18 William A. Leonard  
19 6625 S. Valley View #224  
20 Las Vegas, NV 89119  
Chapter 7 Trustee

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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: \_\_\_\_\_

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

23  
24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor